THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.20254 OF 1997

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DATED: 13-02-2007

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Between :

1. Kavalkar Istari and another. ... Petitioners

And

1. State of A.P., rep. By its Secretary to Govt., Social Welfare (F) Dept., at Secretariat, Hyderbad and 4 others. .. Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.20254 OF 1997

ORDER :

The petitioners herein claim to be the owners and possessors of the lands in Sy.Nos.58/A, 58/AA, 58/E and 58/EE of Kanargaon Village, Wankidi Mandal, Adilabad District, which are admittedly situated in agency tracts. The 3rd respondent – Special Deputy Collector (Tribal Welfare), Utnoor, Adilabad District after making due enquiry, by order dated 24-6-1993 declared that the possession of the petitioners in respect of the lands in question was in contravention of the provisions of the A.P. Scheduled Areas Land Transfer Regulation 1 of 1959 and accordingly ordered their ejectment. Though the petitioners preferred an appeal, the same was dismissed by the 2nd respondent by order dated 28-2-1994. Even the Revision Petition preferred by the petitioners was dismissed by the 1st respondent. Hence, this writ petition seeking a declaration that the orders passed by the respondents 1 to 3 are arbitrary and illegal.

Though the petitioners contended that they have purchased the lands in question prior to enforcement of Regulation 1 of 1959 and as such the impugned orders are unsustainable, having regard to the concurrent findings of fact recorded by the respondents 1 to 3, I am unable to agree.

On a careful consideration of the entire material on record, absolutely no justifiable reason is made out warranting interference by this Court.

Accordingly, the Writ Petition is dismissed. No costs.

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G. ROHINI, J.

Dt. 13-02-2007

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